

(d) [(c)] fill material solids **[position d] h ld** inside the **[first tubular-shaped contain r] ballast tub s**;

(e) [(d)] wherein the fill material solids are held in position by the **ballast tubes and the** first tubular-shaped container to form a barrier or dam.

2. **(Amended)** The system of claim 1 wherein the **first tubular-shaped** container additionally comprises a second elongated sheet.

3. **(Amended)** The system of claim 2 wherein the second elongated sheet is coiled into a second tubular-shaped container within the inside space of the **[second] first** tubular-shaped container, thereby forming a tubular container having an inner liner.

4. **(Amended)** The system of claim 1 in which the first continuous tubular-shaped container **[is formed by stitching, gluing heat bonding or attaching by other means a geotextile material into a tubular shape]** **contains fill material solids in addition to the solids inside the ballast tubes.**

6. **(Amended)** A system for maintaining fill material solids in position to form a barrier or dam, the system comprising:

(a) a first elongated sheet of geotextile material;

(b) a means for seaming the first elongated sheet into a first continuous tubular-shaped container having an inside space;

(c) at least two ballast tubes disposed within said inside space of the container;

(d) [(c)] fill material solids **[p sitioned] h ld** inside the **[first tubular-shaped contain r, wher in the fill material solids ar located within th first tubular-shaped container] ballast tubes**; and

(e) [(d)] a first cradle tube positioned adjacent to the first continuous tubular-shaped container, the cradle tube being **[capable of maintaining] configured to maintain** the first tubular-shaped container in a stable position to form a barrier or dam.

11. The system of claim **[10] 6** in which filler tubes are located within a cradle tube.

16. **(Amended)** An apparatus for forming a barrier, comprising:

(a) an elongated container; and

(b) a plurality of independent ballast tubes within the container, the ballast tubes each having an inside and an outside space, the ballast tubes **having** **[being configured to receive]** fill material solids **[on] in** their respective inside spaces, each ballast tube being enclosed such that there is no substantial communication or flow between independent ballast tubes, each ballast tube being **configured to maintain** **[capable of maintaining]** an independent solid fill level and pressure.

19. **(Amended)** The apparatus of claim 16 in which **the elongated container is anchored in part by** a scour apron **[is employed in the form of an] having an** anchor tube.

22. **(Amended)** A method of forming a barrier or dam using solid materials, comprising:

- (a) providing an elongated container; and
- (b) providing a plurality of independent ballast tubes within the elongated container, each ballast tube being enclosed such that there is no substantial communication or flow between independent ballast tubes; **[and]**
- (c) pumping a water/solids slurry into **[the elongated container]** at least one ballast tube; and
- (d) pumping a water/solids slurry into the elongated container.

24. **(Amended)** The method of claim 23 in which the pumping step (c) further comprises:

- i) pumping water, followed by
- ii) pumping a water/solids slurry into at least one **[a]** ballast tube.

28. **(Amended)** The apparatus of claim **[25] 27** in which the scour apron further comprises an anchor tube.

29. **(Amended)** The apparatus of claim **[25] 27** in which the scour apron further comprises a blanket.

30. **(Amended)** The apparatus of claim **[25] 27** wherein the scour apron supports the container on the underside of the container.

31. **(Amended)** A system for maintaining fill material solids in position to form a barrier or dam in a water environment, the system comprising:

- (a) a first elongated tube having an interior and exterior, the tube being made of impermeable geotextile material; and
- (b) a plurality of ballast tubes located within the first elongated tube, the ballast tubes being generally semi-permeable;

(c) wherein fill material solids are held in position within at least one of said ballast tubes, and water is capable of moving into or out of ballast tubes, the overall barrier or dam being essentially watertight on its exterior surface due to impermeability of the geotextile material, thus resulting in minimal net water flow to the exterior of the first elongated tube.

32. **(Amended)** The system of claim 31 wherein the first elongated tube of geotextile material comprises a **[is made essentially impermeable by]** coating on the exterior surface of said material. **[first elongated tube to render the geotextile material less permeable]**

35. **(Amended)** A system for maintaining fill material solids in position to form a barrier or dam in a water environment, the system comprising:

(a) a first elongated tube having an interior and exterior, the tube being made of partially permeable geotextile material having an inner liner of substantially waterproof fabric; and

(b) a plurality of ballast tubes located within the first elongated tube, the ballast tubes being generally semi-permeable;

(c) wherein fill material solids are held in position within at least one of the ballast tubes, and water is capable of moving into or out of the ballast tubes, the overall barrier or dam being essentially watertight on its exterior surface due to impermeability of the liner material, thus resulting in minimal net water flow to the exterior of the first elongated tube.

37. **(Amended)** The container of claim **[36 further]** 42 wherein the container is secured along its length by hoops.

39. (Amended) The container of claim [36] 42 in which a spiral [h op or] belt is provided along the length of the container.

40. (Amended) The container of claim 39 in which the belt provides enhanced resistance to elongation of the container under stress.

41. (Amended) The container of claim 39 in which the belt is on the outside of the container.

42. (Amended) A[n] tubular apparatus for forming a barrier, comprising:

(a) an elongated fabric container having two ends;

(b) a plurality of independent ballast tubes extending longitudinally within the container, the ballast tubes each having an inside and an outside space, the ballast tubes [being configured to receive] having fill material solids on their respective inside spaces; and

(c) a plurality of longitudinally spaced reinforced regions along the length of the elongated container, the reinforced regions being supportive of the elongated container and providing a greater resistance to stress than the fabric of the container.

44. (Amended) A tubular apparatus for forming a barrier, comprising: an elongated fabric having two ends, the fabric being helically shaped and joined at a spiral seam by draping the fabric over a cylindrical drum and securing the spiral seam, thereby forming a tubular elongated container; at least one ballast tube disposed within the container.

Add claims 45-77 as follows:

45. (New) An apparatus for forming a barrier, comprising:
- a) an impermeable elongated fabric container having an interior and an exterior;
 - b) at least two ballast tubes disposed within the interior of the elongated fabric container, each of the at least two ballast tubes containing water; and
 - c) wherein each of the at least two ballast tubes is configured to be semi-permeable so that the water can pass between each of the at least two ballast tubes and the interior of the container and between one of the at least two ballast tubes and the other of the at least two ballast tubes.
46. (New) The apparatus of claim 45, wherein the container is rendered impermeable by a coating applied to the fabric.
47. (New) The apparatus of claim 46, wherein the coating is applied to the exterior of the container.
48. (New) The apparatus of claim 46, wherein the coating is applied to the interior of the container.
49. (New) The apparatus of claim 45, wherein the container is rendered impermeable by an impermeable liner that is disposed adjacent the interior surface of the container.
50. (New) The apparatus of claim 45, wherein the container is rendered impermeable by an impermeable liner that is disposed around and encloses the at least two ballast tubes in the interior of the container.

51. (New) The apparatus of claim 45, further comprising solid fill materials disposed within the interior of the container.

52. (New) The apparatus of claim 45, further comprising:
a plurality of transverse reinforced regions disposed along the length of the elongated container, the transverse reinforced regions being configured to provide structural support to the container.

53. (New) The apparatus of claim 52, wherein each said transverse reinforced region comprises at least one belt.

54. (New) The apparatus of claim 52, wherein each said transverse reinforced region comprises at least one hoop.

55. (New) The apparatus of claim 52, wherein each said transverse reinforced region comprises at least one anchoring strap.

56. (New) The apparatus of claim 52, wherein each reinforced region comprises at least one rib.

57. (New) The apparatus of claim 52, wherein each reinforced region extends once circumferentially around the container and in a direction that is generally transversely to the longitudinal axis of the container.

58. (New) The apparatus of claim 52, wherein each reinforced region extends helically around the circumference of the container.

59. (New) The apparatus of claim 52, wherein at least one reinforced region comprises at least two thicknesses of fabric.

60. (New) The apparatus of claim 52, wherein the reinforced regions are disposed on the outside of the container.

61. (New) The apparatus of claim 52, wherein the reinforced regions are disposed on the inside of the container.

62. (New) An apparatus for forming a barrier, comprising:

a) an elongated fabric container having two ends and a plurality of ballast tubes within the elongated fabric container; and

b) a plurality of transverse reinforced regions along the length of the elongated container, the transverse reinforced regions being configured to provide structural support to the container.

63. (New) The apparatus of claim 62, wherein each said transverse reinforced region comprises at least one hoop.

64. (New) The apparatus of claim 62, wherein each transverse reinforced region comprises at least one anchoring strap.

65. (New) The apparatus of claim 62, wherein each reinforced region comprises at least one rib.

66. (New) The apparatus of claim 62, wherein at least one reinforced region comprises at least two thicknesses of fabric.

67. (New) The apparatus of claim 62, wherein each of the transverse reinforced regions comprises at least one anchoring strap.

68. (New) The geotube barrier of claim 67, wherein each of the anchoring straps is connected by a longitudinal seam extending along the length of the elongated container.

69. (New) The apparatus of claim 62, wherein the tube is constructed by seaming together the container at the transverse reinforced regions.

70. (New) The apparatus of claim 62, wherein the reinforced regions are disposed on the outside of the container.

71. (New) The apparatus of claim 62, wherein the reinforced regions are disposed on the inside of the container.

72. (New) The apparatus of claim 62, further comprising at least two ports defined along the length of the container.

73. (New) A system for maintaining material solids in position to form a barrier in a water environment, the system comprising:

(a) a first elongated tube having an interior surface and exterior, the tube being comprised of partially permeable fabric, the tube comprising transverse reinforced regions along its length, and

(b) a liner, the liner being affixed to the interior surface of the tube and impermeable to water,

(c) wherein fill material solids and water are held in position within the tube, the overall barrier being essentially watertight on its exterior fabric surface due to impermeability of the liner material, thus resulting in minimal net water flow to the exterior of the first elongated tube.

74. (New) The system of claim 73, wherein the tube is constructed using high strength seaming techniques.

75. (New) The system of claim 73, wherein the tube comprises a series of outlet ports for release of excess water from the tube.

76. (New) A cylindrical geotube water barrier having an inner surface formed by longitudinal seaming, comprising: